

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2003-090235

12/28/2009

HONORABLE DAVID B. GASS

CLERK OF THE COURT

L. Nevenhoven

Deputy

IN RE THE MATTER OF
COURTNEY N WOOD

COURTNEY N WOOD
1103 S 55TH CIRCLE
MESA AZ 85206

AND

CHRISTY LYNN JOHNSON

CHRISTY LYNN JOHNSON
820 E BROWN RD # 88
MESA AZ 85203

KAREN KLING

JOHN G BEDNARZ

RULING

The Court has reviewed the *Motion for Reconsideration/Clarification* filed by maternal grandmother, Karen Kling, on December 15, 2009. The Court had did not intend to modify maternal granmother's visitation time but only to restate it. To avoid future conflicts, the Court makes minor changes to Karen Kling's visitation schedule.

Therefore, based on the *Motion* and good cause appearing,

IT IS ORDERED granting the motion for clarification and restating the parenting time and visitation schedule as follows:

The parties have two children: Harlie Wood (Born July 12, 2000) and Holden Kling (Born July 28, 1995).

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THE COURT FINDS that the parties generally agreed regarding the parenting time with Harlie and Holden, which is more fully set forth on the record. The Court needed to resolve some details. For that reason, the Court took parenting time and grandparent visitation under advisement so that it could take the various orders that are in place and consolidate them into one order.

THE COURT FINDS that given the evidence and the agreement, the following schedule is fair and reasonable for all.

Therefore,

IT IS ORDERED as follows:

A. Primary Residential Parent/Father's Regular Parenting Time:

1. Father shall be the primary residential parent for Harlie and Holden and shall reside in Arizona.
2. Harlie and Holden shall reside with Father at all time except as outlined below.

B. Mother's Regular Parenting Time:

1. **Summer:** During the summer school break, Mother shall have parenting time with Harlie and Holden every other week from Sunday at 5:00 p.m. until Sunday at 5:00 p.m. The summer break shall begin at Sunday at 5:00 p.m. on the first Sunday after school ends for the year. Mother shall have the first week of Summer Break.
2. **School Year:** During the school year, Mother shall have parenting time with Harlie and Holden the first and third weekend of every month from Friday at 5:00 p.m. until Sunday at 5:00 p.m. The school year begins at 5:00 p.m. on the last Sunday before the first day of classes for the school years.

C. Maternal Grandmother's Visitation Time (Karen Kling):

1. **Regular Visitation Schedule:** Harlie and Holden shall spend the second full weekend of every month with Karen Kling, maternal grandmother. The visitation will run from 5:00 p.m. on Friday until 5:00 p.m. on Sunday.
2. **School Events:** Karen King shall be permitted to attend any school functions that are open to the public.

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3. **Holiday Visitation Schedule:** Harlie and Holden will be with Karen Kling as follows:
 - The Friday after the Thanksgiving (the next day) from 9:00 a.m. to 7:00 p.m.
 - The Friday after Christmas from 9:00 a.m. until 7:00 p.m. If Christmas falls on a Friday, the children will be with Karen Kling on December 26th.
 - The Friday after each of their birthdays from 9:00 a.m. until 7:00 p.m. If the birthday falls on a Friday, the children will be with Karen Kling on the next day (Saturday) from 9:00 a.m. until 7:00 p.m.
4. **Vacation Visitation Schedule:** The children shall be with Karen Kling for one week each summer. Mother and Father must notify Karen Kling in writing of their vacation plans for the summer by May 15th of each year so that Karen Kling can make appropriate vacation plans. Karen Kling then must give Mother and Father written notice of her selection by June 1st of each year.
5. **Transportation:** Karen Kling shall be responsible for transporting the children for her visitation. Karen Kling may allow others to provide the transportation, including maternal great-grandparents.
6. **Conflict with Regular Parenting Time, Holiday Parenting Time, and Vacation Parenting Time:** Karen Kling's regular visitation time and holiday visitation time shall take priority over the regular parenting time schedule, the holiday parenting time schedule, and the vacation parenting time schedule. Parent's vacation parenting time, however, shall take priority over Karen Kling's vacation visitation schedule so long as the parents give Ms. Kling the required written notice on or before May 15th.
7. **Location of Visitation:** Maternal Grandmother shall remain in Maricopa County and/or Pinal County during her visitation with the children.
- D. **Holiday Parenting Time:** Except for Karen Kling's visitation time, the holiday schedule shall supersede all other non-holiday visitation/access and shall be alternated between the parties as follows:
 1. **Easter Sunday:** Easter shall be defined as commencing at 5:00 p.m. on Saturday and continuing until Sunday at 5:00 p.m. Father shall have Easter

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Sunday during even-numbered years and Mother shall have Easter Sunday during odd-numbered years.

2. **Spring Break:** The minor children's Spring Break shall be shared equally (50/50) by the parties. Mother shall receive the first half of the Spring Break and Father shall receive the second half of the minor children's Spring Break. Spring Break is defined as the Friday when the minor children are released from school until Monday morning when the children returns to school.

3. **Mother's Day and Mother's Birthday:** Mother shall always have Mother's Day and her birthday. Mother's Day and Mother's birthday shall begin on said day at 8:00 a.m. and end at 5:00 p.m.

4. **Father's Day and Father's Birthday:** Father shall always have Father's Day and his birthday. Father's Day and Father's birthday shall begin on said day at 9:00 a.m. and end on the following day at 9:00 a.m.

5. **Memorial Day Weekend:** Father shall celebrate Memorial Day Weekend with the minor children in odd-numbered years beginning with the year 2009. Mother shall celebrate Memorial Day Weekend with the minor children in even-numbered years beginning with the year 2008. Memorial Day Weekend shall be defined as Friday after school/work through Monday at 6:00 p.m.

6. **Fourth of July:** The Fourth of July shall be defined as 10:00 a.m. on July 4th until July 5th at 10:00 a.m. Father shall have July 4th during odd-numbered years and Mother shall have July 4th during even-numbered years.

7. **Labor Day Weekend:** Mother shall celebrate Labor Day Weekend with the minor children in odd-numbered years beginning with the year 2009. Father shall celebrate Labor Day Weekend with the minor children in even-numbered years beginning with the year 2008. Labor Day weekend shall be defined as Friday from after school/work until Monday at 6:00 p.m.

8. **October Break:** The minor children's October Break shall be shared equally (50/50) by the parties. Mother shall receive the first half of the October Break and Father shall receive the second half of the minor children's October Break. October Break is defined as the Friday when the minor children are released from school until Monday morning when the children return to school. Father shall be entitled to Halloween with the minor children in even-numbered years and

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Mother shall be entitled to Halloween with the minor children in odd-numbered years.

9. **Thanksgiving:** Thanksgiving shall be defined as Thursday at 10:00 a.m. until 8:00 p.m. Mother shall celebrate Thanksgiving with the minor children on even-numbered years, beginning with the year 2009. Father shall celebrate Thanksgiving with minor children on odd-numbered years beginning with the year 2010. The parent not having Thanksgiving shall have the children from Saturday at 9:00 a.m. until Sunday at 6:00 p.m.

10. **Christmas Eve and Christmas Day:** Christmas Eve shall be defined as 5:00 p.m. on December 24th until 9:00 a.m. on December 25th. Christmas Day shall be defined as 10:00 a.m. on December 25th until 10:00 a.m. on December 26th. Father shall have Christmas Day with the minor children on odd-numbered years beginning with the year 2007. Mother shall have Christmas Eve with the minor children on even-numbered years beginning with the year 2010. The parties shall alternate Christmas Eve and Christmas Day.

11. **Winter/Christmas Break:** The minor children's Winter/Christmas Break shall be divided equally (50/50) by the parties. Winter/Christmas Break is defined as the day when the minor children are released from school until the morning when the children returns to school.

12. **New Year's Holiday:** New Year's Eve shall be defined as noon on said day until New Year's Day at 9:00 a.m. Mother shall have New Year's Eve with the minor children every year. New Year's Day shall be defined as said day at 9:00 a.m. until 9:00 p.m. Father shall have New Year's Day with the minor children every year.

13. **Minor Children's Birthdays:** The minor children's birthdays shall be defined as 9:00 a.m. to 8:00 p.m. on the birthday. Father shall have the minor children's birthdays in each even-numbered year and Mother shall have the minor children's birthdays in each odd-numbered year.

E. Vacation Parenting Time:

1. Each parent shall be entitled to spend two consecutive weeks of summer vacation with the minor children.

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2. In odd-numbered years, Father will have the first choice for his two weeks of summer vacation. He shall provide Mother with notice of his intent to exercise his summer vacation with the minor children no later than April 15th.
3. In even-numbered years, Mother will have the first choice for her two weeks of summer vacation. She shall provide Father with notice of her intent to exercise her summer vacation by no later than April 15th.
4. The vacation parenting time takes precedence over the regular parenting time schedule, but not Karen Kling's regular visitation time or holiday visitation time.
5. If either parent has any desire to travel with the minor children outside of the State of Arizona, that parent must provide the other parent with a written itinerary of the travel plans by no later than two weeks prior to the intended date for travel.

F. Transportation:

IT IS FURTHER ORDERED that Mother not operate a vehicle with the children in the vehicle as long as Mother's driving privileges are suspended.

G. Conciliation Services:

IT IS FURTHER ORDERED that the parties shall participate in mediation through Conciliation Services of this Court to resolve any disputes, problems or proposed changes regarding this child custody order or parenting time prior to seeking further relief from the Court.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

/ s / HONORABLE DAVID B. GASS

JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.